

Message

**From:** Thompson, Lisa [Thompson.Lisa@epa.gov]  
**Sent:** 1/24/2018 4:32:41 PM  
**To:** Kenney, James [Kenney.James@epa.gov]; Davis, Alison [Davis.Alison@epa.gov]  
**Subject:** RE: Expedited Action Item: Second DOI/BLM Pass-back on Comments re NPRM: "Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements"

Thanks Jim! **Ex. 5 Deliberative Process (DP)**

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**From:** Kenney, James  
**Sent:** Tuesday, January 23, 2018 1:02 PM  
**To:** Davis, Alison <Davis.Alison@epa.gov>; Thompson, Lisa <Thompson.Lisa@epa.gov>  
**Subject:** FW: Expedited Action Item: Second DOI/BLM Pass-back on Comments re NPRM: "Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements"  
**Importance:** High

Sending the attachments would help --- sorry about that! ☺

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**From:** InteragencyReviews  
**Sent:** Monday, January 22, 2018 11:20 AM  
**To:** Kenney, James <Kenney.James@epa.gov>  
**Cc:** InteragencyReviews <**Ex. 6 Personal Privacy (PP)**>  
**Subject:** Expedited Action Item: Second DOI/BLM Pass-back on Comments re NPRM: "Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements"  
**Importance:** High

Hi Jim,

We received the attachments and the following note from OMB. **Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)** Please let me know if that will not be possible. I will let you know if I hear anything from OMB.

Thanks, Stuart

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**Stuart Miles-McLean | Interagency Review Coordinator**  
Office of Regulatory Policy & Management | Office of Policy | Office of the Administrator  
202.564.6581 | 3512-U WJC North | Mail Code 1803 | 1200 Pennsylvania Avenue NW | Washington, DC 20460  
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**From:** Kenney, James  
**Sent:** Thursday, December 21, 2017 12:31 AM  
**To:** InteragencyReviews <**Ex. 6 Personal Privacy (PP)**>

**Subject:** RE: Checking In RE: DOI/BLM Pass-back on Comments re NPRM: "Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements"

Yes, of course!  
Thanks,  
Jim

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**From:** InteragencyReviews

**Sent:** Wednesday, December 20, 2017 3:17 PM

**To:** Kenney, James <Kenney.James@epa.gov>

**Cc:** InteragencyReviews <InteragencyReviews@epa.gov>

**Subject:** RE: Checking In RE: DOI/BLM Pass-back on Comments re NPRM: "Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements"

Hi Jim,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

I hope that's OK.

--Stuart

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**From:** InteragencyReviews

**Sent:** Wednesday, December 20, 2017 4:37 PM

**To:** Kenney, James <Kenney.James@epa.gov>

**Cc:** InteragencyReviews <Ex. 6 Personal Privacy (PP)>

**Subject:** RE: Checking In RE: DOI/BLM Pass-back on Comments re NPRM: "Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements"

Jim,

Ex. 5 Deliberative Process (DP)

Thanks, Stuart

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**From:** Kenney, James

**Sent:** Wednesday, December 20, 2017 4:18 PM

**To:** InteragencyReviews <Ex. 6 Personal Privacy (PP)>

**Subject:** RE: Checking In RE: DOI/BLM Pass-back on Comments re NPRM: "Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements"

**Ex. 5 Deliberative Process (DP)**

Thanks,  
Jim

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**From:** InteragencyReviews

**Sent:** Wednesday, December 20, 2017 1:55 PM

**To:** Kenney, James <Kenney.James@epa.gov>

**Cc:** InteragencyReviews <[Ex. 6 Personal Privacy (PP)]>

**Subject:** Checking In RE: DOI/BLM Pass-back on Comments re NPRM: "Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements"

Hi Jim,

The COB deadline on this is fast approaching, so I just wanted to check in to see if you expect to have any additional comments to share?

Thanks, Stuart

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**From:** InteragencyReviews

**Sent:** Thursday, December 14, 2017 10:16 AM

**To:** Kenney, James <Kenney.James@epa.gov>

**Cc:** InteragencyReviews <[Ex. 6 Personal Privacy (PP)]>

**Subject:** Follow-up RE: Expedited Additional Action Item – DOI/BLM Pass-back on Comments re NPRM: "Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements"

Hi Jim,

Just a quick follow-up note for you:

Although I asked EPA's reviewers to respond by COB Monday, 12/18, the Agency's comments are not due to OMB until COB Wednesday, 12/20. So you will have a bit of time after the interagency call on Tuesday to pull things together.

I hope this will work for you, but if not, let me know and we can make adjustments.

Thanks, Stuart

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**From:** InteragencyReviews

**Sent:** Thursday, December 14, 2017 10:05 AM

**To:** Kenney, James <Kenney.James@epa.gov>

**Cc:** Bowles, Jack <Bowles.Jack@epa.gov>; Heninger, Brian <Heninger.Brian@epa.gov>; Kopits, Elizabeth <Kopits.Elizabeth@epa.gov>; Kime, Robin <Kime.Robin@epa.gov>; Adamson, Joseph <adamson.joseph@epa.gov>; InteragencyReviews <[Ex. 6 Personal Privacy (PP)]>; Farrar, Wanda <farrar.wanda@epa.gov>; Eagles, Tom <Eagles.Tom@epa.gov>; Marten, Alex <Marten.Alex@epa.gov>

**Subject:** Expedited Additional Action Item – DOI/BLM Pass-back on Comments re NPRM: "Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements"

**Importance:** High

Hello Jim,

On November 27<sup>th</sup>, you provided the Agency's composite comments (including input from OAR and OP) on DOI/BLM's draft NPRM: "Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements." I submitted the comments to OMB and now we have received DOI's pass-back to the interagency review comments it received.

Specifically, the following attachments are included:

- The Notice of Proposed Rulemaking (NOPR) with track changes and responses to comments
- A clean version of the NOPR with no track changes or comments
- The Regulatory Impact Analysis (RIA) with track changes and responses to comments
- A clean version of the RIA with no track changes or comments
- The Environmental Assessment (EA) with track changes
- A clean version of the EA with no track changes

OMB also sent a calendar invitation for an interagency call to discuss this rule on Tuesday, December 19, at 1:30pm. In a few minutes, I will forward that invitation to the recipients of this email.

Reviewers: Please review the pass-back documents and provide comments on the clean versions. In order to allow for consideration and compilation of Agency comments prior to the interagency call, please respond by COB Monday, 12/18, to our proxy mailbox: **Ex. 6 Personal Privacy (PP)**. To be clear: silence will be interpreted as "no comment."

Thank you, Stuart

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**Stuart Miles-McLean | Interagency Review Coordinator**

Office of Regulatory Policy & Management | Office of Policy | Office of the Administrator

202.564.6581 | 3512-U WJC North | Mail Code 1803 | 1200 Pennsylvania Avenue NW | Washington, DC 20460

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**From:** Kenney, James

**Sent:** Monday, November 27, 2017 4:56 PM

**To:** InteragencyReviews <**Ex. 6 Personal Privacy (PP)**>

**Cc:** Miles-McLean, Stuart <Miles-McLean.Stuart@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>

**Subject:** RE: RSC Distribution: Action Item - DOI/BLM NPRM for EPA Review: "Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements"

Hi Stuart,

Attached please find the integrated set of Agency comments on the RIA and NOPR. **Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

Thanks,

Jim

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**James C. Kenney**

Senior Policy Advisor

Unconventional Oil and Gas

US EPA

**Desk/Mobile:** (202) 768-2618

**Email:** [kenney.james@epa.gov](mailto:kenney.james@epa.gov)

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**Please note:** I am geographically located in Albuquerque, New Mexico (Mountain Time Zone).

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**From:** InteragencyReviews

**Sent:** Monday, November 27, 2017 11:54 AM

**To:** Kenney, James <Kenney.James@epa.gov>

**Cc:** InteragencyReviews <Ex. 6 Personal Privacy (PP)>

**Subject:** RE: RSC Distribution: Action Item - DOI/BLM NPRM for EPA Review: "Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements"

**Importance:** High

Hi Jim,

I just got a note from OMB reminding us that comments on this action are due. Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Thanks, Stuart

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**From:** Kenney, James

**Sent:** Friday, November 03, 2017 12:43 PM

**To:** Janifer, Pamela <Janifer.Pamela@epa.gov>; Vendinello, Lynn <Vendinello.Lynn@epa.gov>; Passe, Loraine <Passe.Loraine@epa.gov>; Turk, David <Turk.David@epa.gov>; Kirby, Kevin <KIRBY.KEVIN@EPA.GOV>; Parikh, Pooja <Parikh.Pooja@epa.gov>; Elliott, Ross <Elliott.Ross@epa.gov>; Green, Holly <Green.Holly@epa.gov>; Moskal, John <Moskal.John@epa.gov>; White, Terri-A <White.Terri-A@epa.gov>; Smith, Brian <Smith.Brian@epa.gov>; Hall, Richard <Hall.Richard@epa.gov>; Jann, Stephen <jann.stephen@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>; Hildebrandt, Kurt <Hildebrandt.Kurt@epa.gov>; Beeler, Cindy <Beeler.Cindy@epa.gov>; Albright, David <Albright.David@epa.gov>; Werntz, James <Werntz.James@epa.gov>; Davis, Alison <Davis.Alison@epa.gov>; Strauss, Linda <Strauss.Linda@epa.gov>; Senn, John <Senn.John@epa.gov>; Martin, JohnT <martin.johnt@epa.gov>; Gray, David <gray.david@epa.gov>; Smith, Paula <Smith.Paula@epa.gov>; Devito, Steve <Devito.Steve@epa.gov>; Byrne, Andrew <Byrne.Andrew@epa.gov>; Matthews, Lisa <Matthews.Lisa@epa.gov>; Dressel, Paul <DRESSEL.PAUL@EPA.GOV>; Buckley, Katherine <Buckley.Katherine@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>; Hambrick, Amy <Hambrick.Amy@epa.gov>; Shaw, Hanh <Shaw.Hanh@epa.gov>; Teichman, Kevin <Teichman.Kevin@epa.gov>; Bates, William <bates.william@epa.gov>; Thompson, Lisa <Thompson.Lisa@epa.gov>; Remnek, Alexandre <Remnek.Alexandre@epa.gov>; Barbery, Andrea <Barbery.Andrea@epa.gov>; Coffman, Joel <Coffman.Joel@epa.gov>  
**Cc:** Miles-McClean, Stuart <Miles-McClean.Stuart@epa.gov>

**Subject:** FW: RSC Distribution: Action Item - DOI/BLM NPRM for EPA Review: "Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements"

Hi all,

Heads up...this was sent out yesterday afternoon to various programs and regions.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

- DOI/BLM entitled "Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements" (a.k.a. the 'Venting and Flaring' rule).
- Ex. 5 Deliberative Process (DP)
- All comments due by COB, Friday, 11/17.

Thanks,  
Jim

James C. Kenney

Senior Policy Advisor

Unconventional Oil and Gas

US EPA

Desk/Mobile: (202) 768-2618

Email: [kenney.james@epa.gov](mailto:kenney.james@epa.gov)

*Please note: I am geographically located in Albuquerque, New Mexico (Mountain Time Zone).*

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**From:** InteragencyReviews

**Sent:** Thursday, November 2, 2017 1:58 PM

**To:** RSC Core <[Ex. 6 Personal Privacy (PP)]>; RSC Regions Core <[Ex. 6 Personal Privacy (PP)]>

**Cc:** Kenney, James <[Kenney.James@epa.gov](mailto:Kenney.James@epa.gov)>; Adamson, Joseph <[adamson.joseph@epa.gov](mailto:adamson.joseph@epa.gov)>; Corrales, Mark <[Corrales.Mark@epa.gov](mailto:Corrales.Mark@epa.gov)>; Curry, Bridgid <[Curry.Bridgid@epa.gov](mailto:Curry.Bridgid@epa.gov)>; Hessert, Aimee <[Hessert.Aimee@epa.gov](mailto:Hessert.Aimee@epa.gov)>; InteragencyReviews <[Ex. 6 Personal Privacy (PP)]>; Kime, Robin <[Kime.Robin@epa.gov](mailto:Kime.Robin@epa.gov)>; Knight, Kelly <[knight.kelly@epa.gov](mailto:knight.kelly@epa.gov)>; Leff, Karin <[Leff.Karin@epa.gov](mailto:Leff.Karin@epa.gov)>; Nickerson, William <[Nickerson.William@epa.gov](mailto:Nickerson.William@epa.gov)>; Rees, Sarah <[rees.sarah@epa.gov](mailto:rees.sarah@epa.gov)>

**Subject:** RSC Distribution: Action Item - DOI/BLM NPRM for EPA Review: "Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements"

For comment by COB Friday, 11/17.

These interagency review documents are deliberative and pre-decisional and may not be shared or discussed with anyone outside of the Executive Branch.

Attached for EO 12866 / 13563 interagency review and comment is a regulatory impact analysis and proposed rule from DOI/BLM entitled "**Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements**" (a.k.a. the 'Venting and Flaring' rule).

## Ex. 5 Deliberative Process (DP)

Please submit comments via your Regulatory Steering Committee (RSC) Representative, or Regional Regulatory Contact (RRC), who should send them to the proxy mailbox, Ex. 6 Personal Privacy (PP) or post them in the RSC Team Room.

RSC Reps and RRC's may follow this doclink-> [Notes Link](#)

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**Stuart Miles-McLean | Interagency Review Coordinator**

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